UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,379	12/04/2001	Andrew Thomas	B-4412 619362-3	7011

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EXAMINER
ALBERTALLI, BRIAN LOUIS

ART UNIT	PAPER NUMBER
2655	

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/005,379	THOMAS, ANDREW
	Examiner	Art Unit
	Brian L Albertalli	2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-39* is/are pending in the application.

     4a) Of the above claim(s) *2-4 and 15-17* is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1,5-14 and 18-39* is/are rejected.
7) ☒ Claim(s) *5,7,8 and 18* is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☒ All   b) ☐ Some * c) ☐ None of:

       1. ☒ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date *3/22/02, 4/25/02*.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Response to Amendment

1.   The preliminary amendment to the claims received on May 8, 2002 has been entered. Claims 2-4 and 15-17 have been cancelled. New claims 28-39 have been added.

Specification

2.   The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

3.   The disclosure is objected to because of the following informalities: on page 6, line 8, "Names" should be –Indicators--.

Appropriate correction is required.

Claim Objections

4.   Claims 5, 7, 8, and 18 are objected to because of the following informalities: The dependencies of claims 5, 7, 8, and 18 have not been updated to reflect the amendment to the claims. Therefore, in claims 5, 7, and 8, "A method according to claim 4" should be –A method according to claim 1--. Similarly, in claim 18, "Apparatus according to claim 17" should be –Apparatus according to claim 14--.

Furthermore, in regard to claim 18, on line 2, "RI" should be –URI--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1, 5-14, and 18-49 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Osaku et al. (U.S. Patent 6,061,738).

In regard to claim 1 and 14, Osaku et al. discloses a method and an apparatus

(Fig. 25, independent telephone type application 466, column 24, line 11) including

means for accessing a content site comprising:

(a) receiving a sound-sequence signal representing a sound sequence with

sound features that encode a character sequence according to a predetermined

scheme (sounds on a musical scale, column 18, lines 57-63) the character sequence

comprising a group of characters (URL numeric code) intended to be translated to a

content-site URI by a remote service system (Fig. 23, step 416 a number is input. The

number is translated at the server to homepage corresponding to the URL, column 22,

lines 61-63 and column 23, lines 1-4);

(b) decoding the received sound-sequence signal to derive a character sequence

(the number is input using sounds of the musical scale, so the sound sequence signal

must necessarily be decoded, column 26, lines 20-23); and

(d) sending the site code to the service system, receiving back the corresponding content site URI, and using it to access the content site (in step 444, the URL numeric code is delivered to a server, column 22, lines 61-63; in step 456, a URL corresponding to the URL numeric code is returned to the client; and in step 442 the URL is used to display a corresponding home page, column 23, lines 1-8).

Osaku et al. further discloses receiving a search request at a the server in which there are two groups of characters (URL1 and simplified network address), the first of which serves to indicate that the said one group is a said site code (Fig. 6, URL1 indicates the server URL 106) and that said other group is taken as indicated that the site code formed by one said group is to be sent to the service system (server) for translation (column 14, line 65 to column 15, line 1). URL1 identifies the server where the translation of the simplified network address is to be converted to corresponding URL 122 that is sent back to the client 100 (column 15, lines 1-13).

Osaku et al. further discloses the conversion of a group of characters (URL numeric code) to a content site URI (URL) occurs at multiple servers (Fig. 25, servers 478 and 486, column 26, lines 1-5).

Osaku et al. does not explicitly disclose that the musical input method is used in the case where the simplified network address and the server at which the conversion of that simplified network address to a corresponding URL are both indicated.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Osaku et al. to include two groups of characters in the sound sequence signal, since entering a musical sound sequence signal allows a user to

detect an input error through hearing (column 18, lines 61-63) and including two groups

of characters would allow the user to specify which server to search for the

corresponding URL.

In regard to claims 5, 6, 18, and 19, Osaku et al. discloses the other group of

characters (URL1) comprises the URL of the service system (URL1 is the network

address of the conversion database 102, column 11, line 66 to column 12, line 1; a URL

is a type of URI).

In regard to claim 18, Osaku et al. discloses the third means (independent

telephone type application 466) is operative to take the URL and us it to contact the

service system (the server receives a search request from the independent telephone

type application 466 using the network address URL1, column 14, line 65 to column 15,

line 1).

In regard to claim 7, Osaku et al. discloses the nature of the sound features and

of the predetermined encoding scheme is such that a sound sequence of a musical

character represents said one group of characters (column 18, lines 57-63).

In regard to claim 8, Osaku et al. does not explicitly disclose that the said other

group of characters are represented by a sound sequence of a musical character.

However, as discussed in reference to claims 1 and 14, it would have been

obvious to one of ordinary skill in the art at the time of invention to represent said other

group of characters by a sound sequence of a musical character since entering a

musical sound sequence signal allows a user to detect an input error through hearing

(column 18, lines 61-63).

In regard to claim 9 and 22, Osaku et al. discloses in step (b) said sound features

are decoded into corresponding sound codewords which are then mapped to

characters.

The sounds on the musical scale are decoded to a number (1=do, 2=re, etc.,

column 18, line 59) which creates a sound codeword (the melody <do-mi-sol> decodes

to <135>). The sound codeword is then mapped to characters (the URL corresponding

to the URL numeric code is returned to the client, column 23, lines 1-4).

In regard to claims 10 and 23, Osaku et al. discloses the sound features

comprise sounds on a musical scale (column 18, lines 57-63). Sounds on a musical

scale necessarily include the features of:

a)   fixed frequency tones;

b)   occurrence of maximum sound output power in predetermined frequency

bands (each musical tone will necessarily produce a maximum sound power output in

each respective frequency band); and

c)   changes in output frequency.

In regard to claim 11 and 24, Osaku et al. discloses the apparatus is a voice browser which carries out the method (Fig. 25, independent telephone type application 466 is used, column 24, line 11).

In regard to claim 12, Osaku et al. discloses the further step of caching the correspondence of the site code to site URI, step (c) involving checking this cache before contacting the service system (Fig. 7, correspondence relations cache 134 is checked to see if the correspondence relation matching the input has been previously stored, column 9, lines 23-29).

In regard to claim 13 and 26, Osaku et al. discloses the content site URI is a URL (Fig. 23, step 442 the URL is used to display a corresponding home page, column 23, lines 1-8).

In regard to claim 20, Osaku et al. discloses the third means including means for determining the presence of a site code (simplified network address) in the derived character sequence (the sounds of the music scale are converted to the simplified network address, column 18, lines 57-63).

Osaku et al. does not explicitly disclose only some of the sound sequences encode site codes.

However, as discussed in reference to claims 1 and 14, it would have been obvious to one of ordinary skill in the art at the time of invention to have only some of

the sound sequences encode site codes, in order to allow the user to specify which server to search for the corresponding URL.

In regard to claim 21, Osaku et al. discloses the third means is arranged to operate on the basis that all sound sequences encode site codes (all the sounds of the music scale are converted to the simplified network address, column 18, lines 57-63).

In regard to claim 25, Osaku et al. discloses a cache (Fig. 7, correspondence relations cache 134) for caching previously-determined correspondences between site codes and site URIs, the third means being operative, in response to the presence of a site code in the received sound sequence, to check the cache and only send the site code to the service system where the cache does not hold a site-code to URI correspondence for that site code (if the correspondence relation between the simplified network address and the corresponding URL is found in the local cache 134, it is used to form the network address command, column 9, lines 29-32; if the relation is not found in the local cache 134, the network accessible database 136 is used, column 9, lines 40-44).

In regard to claim 27, Osaku et al. discloses a microphone for receiving the sound sequence and providing a corresponding said sound-sequence signal to said means for receiving (Fig 25, 466, a telephone will necessarily have a microphone for receiving a sound sequence, column 24, line 11).

In regard to claims 28 and 31, Osaku et al. discloses the steps of the method are carried out by the apparatus which is end-user equipment (the independent telephone type application 466 is a client device, column 24, lines 10-11; which carries out the steps of the method, see Fig. 23, client side).

In regard to claims 29 and 32, Osaku et al. discloses the service system (web server) is connected to the internet and step (d) involves communicating with the service system, and the fourth means (independent telephone type application 466) comprises means for communicating with the service system over the internet (Fig. 25, web server 478 and independent telephone type application 466 communicate through the internet 476, column 24, lines 14-15).

In regard to claim 30, Osaku et al. discloses the initial step of receiving said sound sequence and converting it into said sound sequence signal (the user inputs the simplified network address using the sounds of the musical scale, column 26, lines 20-23; the sound must necessarily be converted to the sound sequence signal before any further processing can occur).

In regard to claim 33, Osaku et al. discloses end user equipment for accessing content sites (independent telephone type application 466), the apparatus comprising:

- a decoding arrangement operative to receive and decode a sound-sequence signal representing a sound sequence with sound features that encode a character sequence according to a predetermined scheme (sounds on a musical scale, column 18, lines 57-63) the character sequence comprising a group of characters (URL numeric code) intended to be translated to a content-site URI by a remote service system (Fig. 23, step 416 a number is input. The number is translated at the server to homepage corresponding to the URL, column 22, lines 61-63 and column 23, lines 1-4);

- a content-URI access arrangement operative to detect said a group of characters in a said character sequence decoded by the decoding arrangement from a received said sound sequence signal the content-URI access arrangement being responsive to send the site code formed by said one group of characters to the remote service system and to receive back the corresponding content site URI (the URL numeric code is delivered to a server, column 22, lines 61-63; and a URL corresponding to the URL numeric code is returned to the client); and

- a content retrieval arrangement operative to use the content site URI received from the service system to access the content site (the URL is used to display a corresponding home page, column 23, lines 1-8).

Osaku et al. further discloses receiving a search request at a the server in which there are two groups of characters (URL1 and simplified network address), the first of which serves to indicate that the said one group is a said site code (Fig. 6, URL1 indicates the server URL 106) and that said other group is taken as indicated that the site code formed by one said group is to be sent to the service system (server) for

translation (column 14, line 65 to column 15, line 1). URL1 identifies the server where the translation of the simplified network address is to be converted to corresponding URL 122 that is sent back to the client 100 (column 15, lines 1-13).

Osaku et al. further discloses the conversion of a group of characters (URL numeric code) to a content site URI (URL) occurs at multiple servers (Fig. 25, servers 478 and 486, column 26, lines 1-5).

Osaku et al. does not explicitly disclose that the musical input sequence is used in the case where the simplified network address and the server at which the conversion of that simplified network address to a corresponding URL are both indicated.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Osaku et al. to include two groups of characters in the sound sequence signal, since entering a musical sound sequence signal allows a user to detect an input error through hearing (column 18, lines 61-63) and including two groups of characters would allow the user to specify which server to search for the corresponding URL.

In regard to claim 34, Osaku et al. discloses the other group of characters comprises the URI of the service system, the content URI access arrangement being operative to take this URI and use it to contact the service system (URL1 is the network address of the conversion database 102, column 11, line 66 to column 12, line 1; a URL is a type of URI; and the server receives a search request from the independent

telephone type application 466 using the network address URL1, column 14, line 65 to column 15, line 1).

In regard to claim 35, Osaku et al. discloses the service system (web server) is connected to the internet, the content URI access arrangement comprising means for communicating with the service system over the internet (Fig. 25, web server 478 and independent telephone type application 466 communicate through the internet 476, column 24, lines 14-15).

In regard to claim 36, Osaku et al. discloses a microphone for receiving the sound sequence and providing a corresponding said sound-sequence signal to said decoding arrangement (Fig 25, 466, a telephone will necessarily have a microphone for receiving a sound sequence, column 24, line 11).

In regard to claim 37, Osaku et al. discloses end user equipment for accessing content sites (independent telephone type application 466), the apparatus comprising:

- a decoding arrangement operative to receive and decode a sound-sequence signal representing a sound sequence (sounds on a musical scale, column 18, lines 57-63) with sound features that serve to encode a character sequence comprising a site code (URL numeric code) intended to be translated to a content-site URI by a remote service system (Fig. 23, step 416 a number is input. The number is translated at the

server to homepage corresponding to the URL, column 22, lines 61-63 and column 23,

lines 1-4);

     - a content-URI access arrangement operative to send to said service system a

said site code decoded from a said sound sequence signal by the decoding

arrangement, and to receive back the corresponding content site URI (the URL numeric

code is delivered to a server, column 22, lines 61-63; and a URL corresponding to the

URL numeric code is returned to the client); and

     - a content retrieval arrangement operative to use the content site URI received

from the service system to access the content site (the URL is used to display a

corresponding home page, column 23, lines 1-8).

     In regard to claim 28, Osaku et al. does not explicitly disclose that at least some

of the character sequences decoded by the decoding arrangement comprise two groups

of characters, one of which is said site code and the other of which serves to indicate

the presence of said site code in the character sequence; the content URI access

arrangement being responsive to the presence of said other group of characters to send

the said one group of characters to the service system as said site code.

     However, as discussed in reference to claim 33, it would have been obvious to

one of ordinary skill in the art at the time of invention to modify Osaku et al. to include

two groups of characters in the sound sequence signal, since entering a musical sound

sequence signal allows a user to detect an input error through hearing (column 18, lines

61-63) and including two groups of characters would allow the user to specify which server to search for the corresponding URL.

In regard to claim 39, Osaku et al. discloses said other group of characters comprises a URL for the service system (URL1 is the network address of the conversion database 102, column 11, line 66 to column 12).

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Abir (U.S Patent 6,738,827) discloses a method for translating URL's from one format to another. Cohen et al. (U.S. Patent 6,654,741) discloses a system for mapping URL's on a remote server.

8.   The examiner would like to further note that the amount of $180 was credited to deposit account 120415 on August 22, 2002.
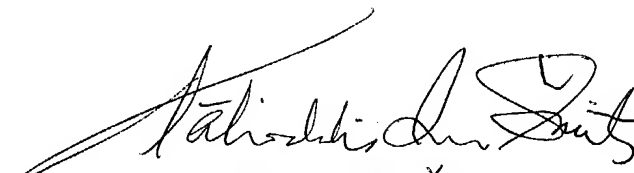
9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L Albertalli whose telephone number is (703) 305-1817. The examiner can normally be reached on Mon - Fri, 8:00 AM - 5:30 PM, every second Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Smits can be reached on (703) 305-3011. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

BLA 10/15/04

TĀLIVALDIS IVARS SMITS
PRIMARY EXAMINER